



ASIANA AIRLINES

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November 28, 2013

The Honorable Deborah A.P. Hersman
Chairman
National Transportation Safety Board
490 L'Enfant Plaza, S.W.
Washington, D.C. USA 20594

Dear Chairman Hersman:

Thank you for your letter of November 15, 2013, confirming Asiana's party status at the upcoming National Transportation Safety Board ("NTSB" or "Board") investigative hearing on December 10-11. We look forward to continuing to assist the NTSB in its fact-finding mission with respect to the July 6, 2013 accident involving Asiana Airlines flight 214, both at the hearing and throughout the remainder of the Board's investigation.

As Asiana's party representative at the hearing, I am writing today to express the airline's deep concern regarding certain procedural matters related to the hearing. Asiana received just last week a series of draft factual reports which, as you know, are critical to the hearing and to the investigation as a whole. Despite the significance of these lengthy and highly technical reports, investigation participants were provided very limited time to review and comment upon them -- in some cases, we had only one day or two to review multiple reports consisting of hundreds of pages of information and attachments. We understand that hearing participants usually receive much more time to review these reports, and we are concerned about the impact that this rushed review might have on the reports' factual accuracy. We complied with the NTSB's compressed deadlines, but especially in light of the time zone difference between Washington, DC, and Seoul, South Korea, and the fact that these reports are not written in our native language, we strongly believe that one or two days is insufficient time to thoroughly and comprehensively review them.

In addition, just one week remains until the prehearing conference in this matter, but Asiana has not yet received a comprehensive list of exhibits for the hearing or the Board's customary guidance regarding which exhibits will be allocated to each panel and witness. Yesterday, the hearing officer sent the parties only a partial exhibit list while setting a deadline of December 2 to submit any comments and concerns regarding all hearing exhibits. It is critical that we have an opportunity to review and evaluate the hearing exhibits with sufficient time to comment upon them at the prehearing conference, and in order to ensure both that our witnesses are prepared to assist with the fact-finding mission of the public hearing and that our party representative is prepared to ask questions of the other panels. Critically, the NTSB appears to be deviating from its normal practice in this matter: the Board's *Aviation Investigation Manual* states that the hearing officer "should allow sufficient time (*at least 2 weeks*) for the parties to receive and review the items critical to the hearing *before the prehearing conference*," including "exhibits, issue list, areas of questioning, and *relevant exhibits for each witness*."



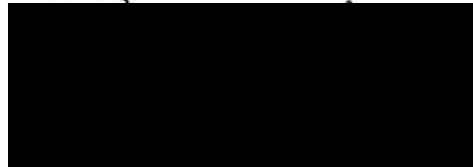
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Finally, we learned yesterday that the NTSB has removed Asiana's Boeing 777 Chief Pilot, Captain Lee Sung Kil, from the list of hearing witnesses. On every version of the hearing agenda I have seen, Captain Lee has been listed as a witness for Panel 2 (regarding Asiana's B777 pilot training). His sudden removal, two weeks before the hearing and without consultation or discussion with Asiana, means that Asiana will be represented – in a hearing about its flight – by a single witness on a single panel. As the airline's B777 Chief Pilot, Captain Lee possesses unique expertise about Asiana's B777 training and flight operations, and there can be no doubt that his participation at the hearing would assist the fact-finding process. We fail to understand why he was removed from the hearing agenda and respectfully request that he be reinstated as a witness.

These procedural matters have complicated our efforts to prepare for the hearing, and we are concerned that they may inhibit a complete and thorough investigation of the causes of the flight 214 accident. Asiana understands that the delay occasioned by the U.S. government shutdown in October has intensified the time pressure on investigative staff, and we are not requesting that the hearing be postponed. Nevertheless, given the importance of procedural fairness, we feel compelled to bring these concerns to your attention at this time.

Thank you for your consideration. I respectfully request that this letter be included in the public docket for this matter. If you have any questions, please do not hesitate to contact me at aaddo@flyasiana.com.

Sincerely,



Captain Kim Seung-Young
Executive Vice President of Flight Operations
Asiana Airlines

cc: The Honorable Christopher A. Hart
The Honorable Robert L. Sumwalt
The Honorable Mark R. Rosekind
The Honorable Earl F. Weener
Mr. William R. English